

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CASE NO: 3:08-CV-585-FDW-DCK**

**DISABLED PATRIOTS OF AMERICA, )  
INC., a Florida Not-For-Profit Corporation, )  
and OWEN HARTY, Individually, )  
  )  
Plaintiff,    )  
v.    )  
  )  
**SOUTHPARK MALL LIMITED )  
PARTNERSHIP, a North Carolina Limited )  
Partnership,    )  
Defendant.    )****

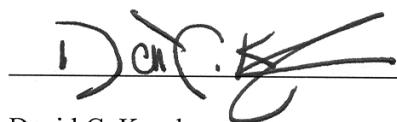
**ORDER**

**THIS MATTER IS BEFORE THE COURT** on the “Motion to Compel” (Document No. 18) filed by the Plaintiffs on October 5, 2009. This matter has been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having fully considered the record, the undersigned will deny the motion as moot because the parties filed a “Report of Settlement” on October 22, 2009, informing this Court that they have settled this case.

**IT IS, THEREFORE, ORDERED** that the “Motion to Compel” (Document No. 18) is **DENIED as moot.**

**IT IS SO ORDERED.**

Signed: October 26, 2009

  
\_\_\_\_\_  
David C. Keesler  
United States Magistrate Judge  
